

REMARKS

Claims 1-3, 5, 7, 11, 12, 14, 17-19, 21, 23, 27, 28 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Bertocci, U.S. Patent No. 5,953,656 in view of an AT&T Answering System 1721 Owner's Manual ("the Owner's Manual") and Chamberlin, U.S. Patent No. 4,309,571. Additionally, Claims 1 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wilcox et al., U.S. Patent No. 6,404,856, in view of Greco et al., U.S. Patent No. 5,568,540. Finally, Claims 4 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertocci, U.S. Patent No. 5,953,656 in view of an AT&T Answering System 1721 Owner's Manual ("the Owner's Manual") and Chamberlin, U.S. Patent No. 4,309,571, and further in view of Rosen et al., U.S. Patent No. 5,784,436. In view of the included amendments of independent Claims 1 and 17 and the argument set forth herein below, applicants respectfully request reconsideration and withdrawal of the claim rejection under 35 U.S.C. § 103(a). The rejection is accordingly traversed.

Summary of an Exemplary Embodiment

An exemplary embodiment to the present invention is generally illustrated in FIGURE 1 of the instant application. As is illustrated in the figure, a voice mail system 12 may include a memory 16 that stores digitized incoming voice messages for later playback. It should be noted, the voice messages that are stored in the memory 16 are stored in the form as they are received by the voice mail system 12. This will be of particular significance based on further discussion of the voice mail system 12.

The memory 16 also stores a voice mail repositioning application 18. This voice mail repositioning application 18 is executable by way of a processor 14. The application 18 contains logic that directs the processor 14 to provide supervisory signals to a user during a repositioning

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

process (see the paragraph bridging pages 4 and 5 of the Specification). Via the application 18, and during repositioning of a given voice message, supervisory signals may be provided to the user in order to provide simplified repositioning of a voice message.

As should be readily understood from the foregoing discussion of an exemplary embodiment of the present invention, the actual voice message itself does not contain the supervisory signals. Instead, the supervisory signals are controlled by the repositioning application 18. This is advantageous inasmuch as the actual intervals of the supervisory signals are controlled by the receiving voice mail system 12, as opposed to having to integrate some kind of indexing function as part of the recorded message. As a further note, the supervisory signals are discrete. In particular, each supervisory signal is separate from the previous and/or next supervisory signal.

Rejection of the Claims

As was indicated heretofore, the Examiner has relied upon a combination of documents to reject the claims. Those documents include Bertocci, the Owner's Manual, Chamberlin, Wilcox et al., and Greco et al. The applicants, in this amendment, do not address the propriety of the motivation the Examiner has used in order to combine the relied upon patent documents. This is not to be construed as an acquiescence by the applicants that the relied upon documents are properly combinable in order to support a *prima facie* case of obviousness under 35 U.S.C. § 103(a). The right to traverse on these grounds is hereby reserved.

Instead, Applicants respectfully submit that the relied upon patent documents neither teach nor suggest the limitations of the claims. In particular, none of the relied upon documents teach providing feedback to the user via a supervisory signal during repositioning, the supervisory signal not an integral part of the voice message and being discrete from a past or

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

future supervisory signal. (See Claim 1.) Moreover, the none of relied upon documents teach memory storing program code implemented by the processor... for providing feedback to the user via a supervisory signal during repositioning, the supervisory signal being discrete from a past or future supervisory signal. (See Claim 17.)

In view of the above amendments and comments, applicants respectfully submit that the relied upon documents, whether taken standing alone or in combination, fail to teach or suggest at least the indicated limitations of the independent claims. With regard to the rejected dependent claims, applicants respectfully submit that these claims are allowable at least due to their dependence upon an allowable independent claim, as well as for additional limitations set forth in these claims. Accordingly, applicants respectfully request reconsideration and withdrawal of the claim rejections under 35 U.S.C. § 103(a).

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

CONCLUSION

In view of the foregoing remarks, applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and allowance of the claims at an early date are earnestly solicited. If the Examiner has any questions or comments concerning this application or this amendment, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

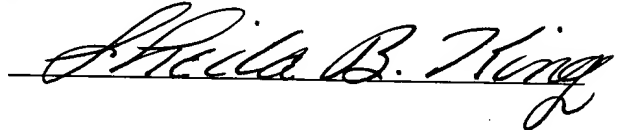
CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Timothy R. Wyckoff
Registered Patent Agent
Registration No. 46,175
Direct Dial No. 206.695.1641

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: Feb. 4, 2005



TRW:ejh

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100